

EXHIBIT D

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN) ECF Case

DECLARATION OF RICHARD COLLINS

I, RICHARD COLLINS, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based on my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and remain so today.

Attached as **Exhibit A** to this Declaration is a true and correct copy of my U.S. Passport as proof of citizenship.

3. On September 11, 2001, I was working as a Building Engineer for American Building Maintenance Industries Incorporated (“ABM”), and was present at One World Trade Center – 7th Floor, when the terrorist attacks on the World Trade Center Towers occurred.

4. I signed into work around 8:00 a.m. on September 11, 2001. I received my work orders for that day, and proceeded up to the workshop located on the 7th floor of the North Tower. Upon entering the workshop, I unlocked the tool cabinets and began assembling tools and gathering parts required to perform my work orders for the day.

5. Around 8:43 a.m., I called to schedule a freight elevator and noticed my radio battery was dead. I advised my work partner of the issue, and told him I would call after I replaced my battery. I exited the workshop and realized I needed to use the restroom. I walked down the hallway past the 50 Car elevator, turned into the storage room, and made my way into the men's restroom located in the back of the storage room. I used the restroom, washed my hands, and began to walk out of the lavatory.

6. Suddenly, I heard a loud explosion. The building started shaking violently. Standing in the storage room next to the main elevator shaft, I heard the 50 Car elevator falling, people screaming, followed by the sound of the cables falling down the shaft. While the building continued to shake, I heard what I can only describe as miniature explosions coming from the hallway and elevator shaft. I then decided to stand back in the doorway until the shaking stopped. Next thing I know, an I-beam crashed through the ceiling next to the elevator shaft, pummeling through the floor right in front of me.

7. At about 8:47 a.m., I sprinted toward the storage room door that lead to the hallway. Boom. A second explosion ripped through the hall, the force slamming the storage room door closed. I tried to open the door, but it was jammed shut. I was trapped. Then, I heard what sounded like water pouring down from behind me; I turned around, and there was another explosion – the powerful force launching me against the door, knocking me to the ground.

8. As I tried to get up, I saw the entire room on fire, and decided to stay as low as I could. I could feel the intense heat building quickly. I had to get out of the storage room. I stood up and screamed for anyone who might hear me as I tried to open the door again. The door was still jammed shut. I ran to a pipe rack in the back of the room, grabbed a length of pipe, and attempted to beat the door open using the pipe.

9. I felt my lungs burning; I was rapidly running out of breathable air. The clothes I was wearing felt so hot I thought they had caught fire. I pulled my undershirt over my mouth in an effort to keep from choking to death from the smoke. I could feel myself panicking but tried to remain calm. The heat was so intense and the smoke so dense, it felt as if my throat was closing as I tried to breathe. I was dizzy and felt as if I was about to pass out as I became overwhelmed with panic.

10. The door popped open. Despite no longer being in direct proximity of flames, I still could not breathe. I made my way to the workshop to check and make sure no one was trapped; it was empty. From the workshop, I went to the staircase and collapsed.

11. Around 9:01 a.m., some building tenants tried helping me to my feet, but I was having so much trouble breathing that I asked to be left alone. Two men picked me up, and began carrying me down the staircase. As the men were carrying me about to exit the building through the front doors, bodies began crashing down through the front glass canopies, and the men decided to try going through the hotel next door to get out. As they helped me through both lobbies and we began exiting through Tall Ships Bar & Grill between the Towers, everyone noticed strange sounds overhead.

12. A fellow engineer, John Pianoforte (“John”), had seen tenants helping me exit Tall Ships Bar & Grill. At about 9:03 a.m., John was walking over to me when United Airlines Flight 175 flew into the South Tower. The men helping me yelled for me to run, and I was left as everyone fled.

13. After leaving the North Tower, I assembled a work crew and we began performing rescue and recovery operations. During these efforts, I was re-entering the Marriott Hotel when the South Tower started to collapse. I turned and ran down the steps of the Marriott, and was

running across West Street to hide under a parked panel truck when the ground reverberated sharply due to the strength of the collapse and a powerful rush of air swooped me off my feet. My body ricocheted against the pavement, flinging me into the air before both of my knees slammed into the ground and I became buried under debris. I clawed my way out of the rubble and started making my way through the dust cloud. Trying to breathe was like placing your nose and mouth over a filled vacuum cleaner bag and breathing in.

14. I walked through the dust cloud out of the immediate area and met a group of colleagues at a pre-designated location to meet in case of an emergency – a pump station along the last edge of the Hudson River, underneath a playground. The captain of the ferry that operates for the Statue of Liberty was rescuing people from the island, traveling back and forth between New York City and New Jersey to help evacuate people. I boarded the ferry with my group of colleagues. The ferry made a number of stops along the river's edge to pick up more passengers, and I began assisting people struggling to board the ferry. There was a woman with a baby wrapped in a bundle of blankets in her arms, and people were frantically trying to get this bundle out of her hands onto the ferry before assisting her. My colleague, John, grabbed me by my belt, I put my knees on the railing, and leaned out and grabbed the bundle from the woman – it was a baby that had just been sent home after receiving a heart transplant.

15. Just as the ferry started heading across the Hudson River to New Jersey, the North Tower collapsed. Everybody on the ferry immediately ran to the side to watch as the building tumbled down, and the boat began to lift. Sitting behind the captain, I jumped up, and began yelling at everyone to get “back in your seats, don’t you feel the boat tipping!” Without hesitation, everyone ran back to their seats. When the ferry arrived in New Jersey, it dropped us off at an

American Red Cross triage center before we were taken to an army base. Eventually, I got picked up and driven home by car.

16. I was terminated from ABM on September 12, 2001, being told there would no longer be any work. Before working for ABM, I worked for Ogden Allied. In 1993, I had an office on the B2 level of the World Trade Center that was immediately behind the wall where the truck bomb detonated. I knew four out of the six individuals who died in the 1993 terrorist attack, including my partner who worked adjacent to me at that time. The day of the 1993 bombing, by a fluke, I was just entering the building when the bomb went off.

17. As a result of these terrorist attacks, I suffered the following specific injuries on September 11, 2001: a left knee contusion with a tear of the posterior horn of the medial meniscus; bilateral chondromalacia; Hepatitis C; loss of hearing left ear; a lower right forearm contusion; eye trauma, including loss of vision right eye; irritant-induced asthma; chronic sinusitis; Gastrointestinal Reflux; and Reactive Airways Disease Syndrome. I was also diagnosed with Post Traumatic Stress Disorder (“PTSD”) causally related to these horrific acts of terrorism.

18. I sought initial treatment for my injuries on September 12, 2011, at Crystal Run Urgent Care. At the time, I was experiencing pain in both my eyes, which were irritated from dust, pain in my left knee, and pain in my lower right forearm. The assessment of my injuries included a left knee contusion, lower right forearm contusion, dust inhalation, and post-traumatic stress. Attached as **Exhibit B** to this Declaration are true and correct copies of my relevant medical records from Crystal Run Urgent Care.

19. Within two weeks of 9/11, I developed increasing sinus pressure, post-nasal drip, shortness of breath, chest tightness, and wheezing. In October 2001, I had an initial evaluation with Stephen M. Levin, M.D., a pulmonologist, who deemed me totally disabled for my respiratory

illnesses alone. I was diagnosed with irritant-induced asthma and chronic sinusitis, eventually developing RADS, as a consequence of my exposure to airborne dust, gases, and smoke while trapped in a North Tower storage room (*see Paragraphs 7–9, above*), and again when the South Tower collapsed. Attached as **Exhibit C** to this Declaration is a true and correct copy of a letter regarding treatment of this injuries from Dr. Levin, dated March 25, 2004.

20. To my disbelief, I was diagnosed with Hepatitis C following the attacks. My doctor informed me that my diagnosis was likely a result of the debris embedded in my body during the attacks. Hundreds of small (and not so small) pieces of debris, some of which were likely contaminated by human remains (e.g., blood, bone shards, etc.), punctured my body during the building collapse. On October 15, 2001, I had a surgical consultation for the removal of a “foreign body in the right forearm” that turned out to be a very sharp wood splinter measuring about 1 ½ inches. Attached as **Exhibit D** to this Declaration is a true and correct copy of the Surgical Consultation record dated October 15, 2001.

21. After 9/11, I was having a problem with my hearing and received treatment from an Ear, Nose & Throat (“ENT”) specialist. The ENT confirmed complete loss of hearing in my left ear as a result of the disaster. Attached as **Exhibit E** to this Declaration are true and correct copies of my relevant ENT treatment records. I also suffered a loss of vision to my right eye.

22. Struggling to cope with symptoms of PTSD, I began initial treatment with the Orange County Department of Mental Health, Mental Health Assessment Team on September 26, 2001. Manifestation of my PTSD can be characterized by: agitation, elevated anxiety, sleep disturbance, hypervigilance, cognitive impairment, intrusive thoughts and images, and disregulated anger. Attached as **Exhibit F** to this Declaration are true and correct copies of two letters

from the Orange County Department of Mental Health regarding treatment related to PTSD.

Treatment for my PTSD is ongoing.

23. I am permanently totally disabled, as determined by the Social Security Administration (“SSA”), as a result of my PTSD resulting from the terrorist attacks of September 11, 2001. Once the SSA deems someone disabled, they look no further; I suffer from severe physical injuries that in the aggregate are totally and permanently disabling exclusive of my psychological injuries. I been receiving monthly Social Security Disability payments since March 2002. Attached as **Exhibit G** to this Declaration is a true and correct copy of my Notice of Award from the SSA, dated July 19, 2003.

24. I sought medical attention for my injuries. In addition to the records previously identified herein, attached as **Exhibit H** to this Declaration are true and correct copies of relevant medical records regarding the treatment I received following the September 11, 2001 terrorist attacks.

10. I previously pursued a claim (VCF Claim Number 212-003549) through the September 11th Victim Compensation Fund specifically related to my physical injuries incurred on September 11, 2001, and my claim was determined to be eligible for compensation.

I DECLARE, VERIFY AND STATE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED this 30th day of January 2020.


RICHARD COLLINS

Exhibits Filed Under Seal